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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/599,087 | 06/21/2000 | Anthony J. Polverino | 00,450 | 6624 |

20306 7590 12/31/2002

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SUITE 3200
CHICAGO, IL 60606

EXAMINER

RAWLINGS, STEPHEN L

| ART UNIT | PAPER NUMBER |
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1642

DATE MAILED: 12/31/2002

19

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

09/599,087

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| EXAMINER |
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19

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Commissioner of Patents and Trademarks

Response to Amendment

1. The request for continued examination and the amendment filed September 25, 2002 in Paper Nos. 17 and 18 are acknowledged and have been entered.

2. The reply filed September 25, 2002 in Paper Nos. 17 and 18 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicants failed to cancel claims 9, 12-45, and 49-59, which are drawn to an invention non-elected with traverse in Paper No. 9, as was required by the previous Office Action mailed June 4, 2002 (Paper No. 15). See 37 CFR § 1.111.

3. In addition, this application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, as amended by Paper No. 17, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR §§ 1.821 - 1.825) before the application can be further examined under 35 U.S.C. §§ 131 and 132.

4. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Art Unit: 1642


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (703) 305-3008. The examiner can normally be reached on Monday- Friday, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony C. Caputa, Ph.D. can be reached on (703) 308-3995. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Stephen L. Rawlings, Ph.D.
Examiner
Art Unit 1642

slr
December 30, 2002


ANTHONY C. CAPUTA
SUPERVISORY PATENT EXAMINER
TECNOLOGY CENTER 1600